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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,482	01/05/2001	Curtis G. Yarvin	3399P039	5095

7590 03/25/2004

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EXAMINER

NGUYEN, DANG T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/755,482

**Applicant(s)**

YARVIN, CURTIS G.

**Examiner**

Dang T Nguyen

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 5 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to communications: Application filed on 01/05/2001.
2. IDS filed on 3/8/2002.
3. Claims 1 - 47 are pending in this case. Claims 1, 5, 7, 10, 16, 20, 26, 31, 37, 42 and 44 are independent claims.

### *Drawings*

4. The drawings were received on 1/5/01. These drawings are substituted to another set of drawings were received on 6/9/01.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-4, 10-15, 20-25, 31-36, and 44-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Balsara et al. U.S. patent No. US 6,065,012 – filed Feb. 27, 1998.**

**Regarding independent claim 1**, Balsara discloses a method of dynamically updating a user interface in a processing system, the method comprising: storing a data

set locally in the processing system (Col. 1 lines 29-34 and Col. 11 lines 52-57); generating a presentation document [predetermined data] based on a source document and the data set (Col. 5 lines 19-20 and Col. 11 lines 59-62); and responding to an event by modifying the data set in the processing system (Col. 4 lines 46-50), and determining whether the modification to the data set should affect the presentation document (Col. 4 lines 1-14), and if the modification to the data set should affect the presentation document (Col. 9 line 67 and Col. 10 lines 1-9), then automatically updating only parts of the presentation document that correspond to the modification to the data set (Col. 10 lines 26-31).

**Regarding dependent claim 2**, Balsara discloses wherein the processing system generates a user interface (Col. 2 lines 20-25), and wherein the method further comprises using the updated presentation document to update the user interface dynamically (Col. 5 lines 62-64 and Col. 10 lines 26-31).

**Regarding dependent claim 3**, Balsara discloses wherein the source document is written in an extensible markup language (Col. 5 lines 24-25).

**Regarding dependent claim 4**, Balsara discloses wherein: the source document comprises a tag having a dependency expression as an attribute (Col. 14 lines 1-26 and [the summary HTML page is customizable for display attributes such as fonts, size, etc.) Col. 5 lines 49-50]); said determining whether the modification to the data set should affect the presentation document comprises evaluating the dependency expression (Col. 4 lines 1-14); and the method further comprises updating the presentation

document, if appropriate, based on a result of the dependency expression (Col. 10 lines 26-31).

**Regarding independent claims 10, 20, and 31**, the claim incorporates substantially similar subject matter as claim 1, and is rejected along the same rational.

**Regarding dependent claims 11, and 21**, the claim incorporates substantially similar subject matter as claim 8, and is rejected along the same rational.

**Regarding dependent claim 12**, Balsara discloses wherein: the source document comprises a tag having a dependency expression as an attribute (Col. 14 lines 1-26 and [the summary HTML page is customizable for display attributes such as fonts, size, etc.) Col. 5 lines 49-50]); said determining whether the modification to the data set should affect the presentation document comprises evaluating the dependency expression (Col. 4 lines 9-21); and the method further comprises updating the presentation document, if appropriate, based on the dependency expression (Col. 10 lines 26-31).

**Regarding dependent claims 13, 22, 32, 34, and 35**, Balsara discloses wherein said automatically updating the presentation document comprises automatically updating only segments of the presentation document that correspond to the changed data, without updating the entire presentation document (Col. 10 lines 26-31).

**Regarding dependent claims 14, and 23**, the claim incorporates substantially similar subject matter as claims 8 and 13, and is rejected along the same rational.

**Regarding dependent claims 15, 25, and 36**, the claim incorporates substantially similar subject matter as claim 3, and is rejected along the same rational.

**Regarding dependent claims 24, and 33**, the claim incorporates substantially similar subject matter as claim 4, and is rejected along the same rational.

**Regarding independent claim 44**, Balsara discloses a computing device comprising: a processor (Col. 3 line 61); an output device (Col. 8 line 19); a first storage unit containing a data set for use in generating an extensible markup language based presentation document (Col. 1 lines 29-34 and Col. 5 lines 19-36); and a second storage unit containing instructions which configure the processor to generate the presentation document based on a source document written in an extensible markup language and the data set (Fig. 4, Col. 13 lines 60-62), wherein the presentation document is dependent upon one or more expression that operate on the data (Col. 14 lines 27-41); present a user interface at the output device based on the presentation document (Col. 15 line 5 and lines 34-59); detect an event (Col. 17 lines 13-15); and respond to the event by causing a change to the data set (Col. 4 lines 46-50), determine whether the presentation document is dependent upon at least one expression (Col. 4 lines 1-14), the result of which is affected by the change to the data (Col. 9 line 67 and Col. 10 lines 1-9), and if the presentation document is dependent upon at least one expression (Col. 4 lines 1-14), the result of which is affected by the change to the data (Col. 9 line 67 and Col. 10 lines 1-9), then automatically updating only one or more segments of the presentation document that depend on said at least one expression, without updating the entire presentation document (Col. 10 lines 26-31), and present the user interface at the output device based on the updated presentation document ( Col. 10 lines 28-34).

**Regarding dependent claim 45**, Balsara discloses wherein the computing device is a wireless, hand-held computing device (Col. 7 lines 28-29).

**Regarding dependent claim 46**, Balsara discloses wherein the computing device is configured to receive the source document from a remote server over a network (Col. 7 lines 31-34).

**Regarding dependent claim 47**, recite a computing device as recited in claim 44 which is equivalent to the method as recited in claim 4 and is similarly rejected, as above.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 5-9, 16-19, 26-30, 37-41, and 42-43 rejected under 35 U.S.C. 103(a) as being unpatentable over Balsara et al., U.S. Patent No. 6,065,012 – filed Feb. 27, 1998.**

**Regarding independent claim 5**, Balsara discloses a method of dynamically updating a user interface on a local processing system, the method comprising: storing data in the local processing system (Col. 1 lines 29-34 and Col. 11 lines 52-57); providing a presentation document [dynamic summary view of predetermined data] in

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the local processing system based on the data and a source document written in an extensible markup language (Col. 5 lines 23-35), wherein the presentation document is dependent upon one or more expressions that operate on the data (Col. 6 lines 22-24); detecting an event in the local processing system (Col. 4 lines 40-46); responding to the event in the local processing system by causing a change to the data in the local processing system (Col. 4 lines 46-50), determining whether the presentation document is dependent upon at least one expression, the result of which is affected by the change to the data (Col. 4 lines 1-14), and if the presentation document is dependent upon at least one expression (Col. 4 lines 15-21), the result of which is affected by the change to the data (Col. 4 lines 35-39), then automatically updating only one or more parts of the presentation document that depend on said at least one expression, without updating the entire presentation document (Col. 12 lines 48-58). However Balsara et al. does not explicitly teach rendering the user interface in the local processing system based on the updated presentation document. On the other hand, Balsara suggests the user interface (see Col. 8 lines 4-20). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the user interface as taught by Balsara in order to allow the system to perform tasks upon the user request.

**Regarding dependent claims 6 and 9**, the claim incorporates substantially similar subject matter as claim 4, and is rejected along the same rational.

**Regarding independent claim 7**, the claim incorporates substantially similar subject matter as claims 1 and 5, and is rejected along the same rational.



**Regarding dependent claim 8**, Balsara discloses wherein the data set is stored locally in the processing system (Col. 1 lines 29-43).

**Regarding independent claims 16, 26 and 37**, the claim incorporates substantially similar subject matter as claim 5, and is rejected along the same rational.

**Regarding dependent claim 17**, the claim incorporates substantially similar subject matter as claim 8, and is rejected along the same rational.

**Regarding dependent claim 18**, the claim incorporates substantially similar subject matter as claims 8 and 13, and is rejected along the same rational.

**Regarding dependent claim 19**, the claim incorporates substantially similar subject matter as claim 4, and is rejected along the same rational.

**Regarding dependent claim 27**, Balsara discloses wherein said automatically updating the presentation document comprises automatically updating only segments of the presentation document that correspond to the changed data, without updating the entire presentation document (Col. 10 lines 26-31).

**Regarding dependent claim 28**, the claim incorporates substantially similar subject matter as claim 4, and is rejected along the same rational.

**Regarding dependent claim 29**, the claim incorporates substantially similar subject matter as claim 8, and is rejected along the same rational.

**Regarding dependent claim 30**, the claim incorporates substantially similar subject matter as claims 8 and 13, and is rejected along the same rational.

**Regarding dependent claims 38, and 40-41**, Balsara discloses wherein said automatically updating the presentation document comprises automatically updating

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only segments of the presentation document that correspond to the changed data, without updating the entire presentation document (Col. 10 lines 26-31).

**Regarding dependent claim 39**, the claim incorporates substantially similar subject matter as claim 4, and is rejected along the same rational.

**Regarding independent claim 42**, recite a machine-readable storage medium for dynamically updating a user interface in a processing system which is equivalent to the method as recited in claims 1 and 5 and is similarly rejected, as above, and

Fig. 2 of Balsara discloses present the user interface at the output device based on the updated presentation document (Col. 10 lines 28-34).

**Regarding dependent claim 43**, recite a machine-readable storage medium for dynamically updating a user interface in a processing system which is equivalent to the method as recited in claim 4 and is similarly rejected, as above.

### ***Prior art***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lemmons et al.	Patent No. 6,442,755 B1	Date of Patent: Aug. 27, 2002
Abjanic et al.	Pub. No. US 2003/0069975 A1	Pub. Date: Apr. 10, 2003
Lection et al.	Patent No. 6,418,446 B1	Date of Patent: Jul. 9, 2002
Burkett et al.	Patent No. 6,635,089 B1	Date of Patent: Oct. 21, 2003

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**Contact Information**

8. Any inquiry concerning this communication from the examiner should be directed to Dang Nguyen, who can be reached by telephone at (703) 305-1673. Normal contact times are M-F, 8-4:30.

Upon an unsuccessful attempt to contact the examiner, the examiner's supervisor, Heather Herndon, may be reached at (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 746-7239 (for formal communications intended for entry)

or:

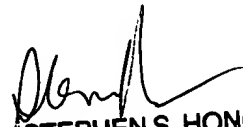
(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to

Crystal Park II, 2121 Crystal Drive

Arlington, VA, Fourth Floor (receptionist).

Dang Nguyen 3/11/2004

  
STEPHEN S. HONG  
PRIMARY EXAMINER